

In re REISSUE PATENT APPLICATION of

Elias G. **KHAMIS, ET AL.**

U.S. Pat. No.: **5,930,729** : Group Art Unit: 2608

Issue Date: July 27, 1999 : Examiner: Edward F. Urban

Title: RANGE EXTENSION ACCESSORY APPARATUS FOR CELLULAR MOBILE
TELEPHONES

* * * * *

June 11, 2001

REISSUE DECLARATION AND POWER OF ATTORNEY

I, Elias G. Khamis, resident of 14 Tribute Court, Newport Beach, California 92663, hereby declare that I am a co-inventor of the subject matter of U.S. Patent **5,930,729** (hereinafter the '729 Patent) entitled "RANGE EXTENSION ACCESSORY APPARATUS FOR CELLULAR MOBILE TELEPHONES," which issued July 27, 1999 from U.S. Patent application No. 08/657,809, filed May 31, 1996, and claims priority to is a continuation-in-part of application Ser. No. 08/340,242, filed on Nov. 16, 1994, which is in turn a continuation in part of Ser. No. 08/062,577, filed May 17, 1993, now U.S. Pat. No. 5,422,934, issued Jun. 6, 1995. I further declare, as follows:

1. I understand the contents of the attached Specification, that I have reviewed and understand the claims referred to in this Declaration, that I do not know, nor believe, that the claimed invention was ever known or used in the United States before the invention thereof, or patented or described in any printed publication in any country before the invention thereof. I further acknowledge my duty to disclose information of which I am aware, which is material to the examination of this Application.

2. I believe that the '729 Patent to be wholly or partly inoperative or invalid by reason of claiming more or less than I had the right to claim in the patent.

3. An error in the '729 Patent is the failure to claim adequately the subject matter in Figures 20-22, 24, and 26; column 21, lines 3-7; 15-46, 64-67; and column 22, lines 1-8.

4. I hereby state that all any and errors corrected by the present Reissue Application were inadvertent and arose without deceptive intention on my part. I further state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by the amendments referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with 37 C.F.R. 1.56(a).

5. I hereby claim priority benefits under 35 U.S.C. 120 to application Ser. No. 08/340,242, filed on Nov. 16, 1994, which is in turn a continuation in part of Ser. No. 08/062,577, filed May 17, 1993, now U.S. Pat. No. 5,422,934, issued Jun. 6, 1995.

6(a). Under 37 C.F.R. § 1.47, I declare that my co-inventor, Massimo Massa, an Australian national, cannot be found or reached after an attempt to reach him by mail.

6(b). Mr. Massa's last known address was:

P.O. Box 567
Noble Park
AUSTRALIA
3174

6(c). After a judgement of \$218,868.25 was awarded to me from Mr. Massa by the Superior Court of the State of California, on July 31, 1995, Mr. Massa apparently left the United States.

6(d). I have no personal knowledge of his current whereabouts.

7. And I hereby appoint **PILLSBURY WINTHROP LLP**, Intellectual Property Group, 1100 New York Avenue, N.W., 9th Floor, East Tower, Washington, DC 20005-3918 (telephone no. (202) 861-3000) and the below-named person (of the same address) individually and collectively as our attorneys to prosecute this Reissue Application and to transact all business in the U.S. Patent and Trademark Office connected therewith and with the resulting patent, and I hereby authorize them to act and rely on instructions from and communicate directly with the

person/assignee/firm/organization who/which first sends/sent this case to them and by whom/which I hereby declare that I have consented after full disclosure to be represented unless/until I instruct **PILLSBURY WINTHROP LLP** in writing to the contrary.

| | | | |
|-----------------------|-------|--------------------|-------|
| Paul N. Kokulis | 16773 | Kendrew H. Colton | 30368 |
| G. Lloyd Knight | 17698 | G. Paul Edgell | 24238 |
| Kevin E. Joyce | 20508 | Lynn E. Eccleston | 35861 |
| George M. Sirilla | 18221 | David A. Jakopin | 32995 |
| Donald J. Bird | 25323 | Mark G. Paulson | 30793 |
| Dale S. Lazar | 28872 | Stephen C. Glazier | 31361 |
| Glenn J. Perry | 28458 | Richard H. Zaitlen | 27248 |
| Robert M. Bedgood | 43488 | James Y. Sze | 43943 |
| Roger R. Wise | 31204 | Anthony L. Miele | 34393 |
| Michael R. Dzwonczyk | 36787 | Robert J. Walters | 40862 |
| Jack S. Barufka | 37087 | Brian J. Beatus | 38825 |
| Adam R. Hess | 41835 | Jonathan E. Jobe | 28429 |
| William P. Atkins | 38821 | Mark C. Pickering | 36239 |
| Paul L. Sharer | 36004 | David H. Jaffer | 32243 |
| Robin L. Teskin | 35030 | John R. Wetherell | 31678 |
| Victor J. Castellucci | 43535 | | |

8. I hereby declare that all statements made herein are of our own knowledge and true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment or both under Section 1001 of Title 18 of the United States Code and such willful false statements may jeopardize the validity of the present application and any patent issued thereon.

INVENTOR'S SIGNATURE:

Date:

6/11/01

| | | | |
|-----------|------------------------------------|-------------------------|-----------------------------|
| Elias | | G. | KHAMIS |
| First | | Middle Initial | Family Name |
| Residence | 14 Tribute Court, Newport Beach | California 92663 | United States of America |
| City | | State / Foreign Country | Country of Citizenship |

Inventor(s): Khamis, et al. (Atty. Dkt.
Appln. No.: / or Patent No.: 5,930,729 068795/0000001
Filed: _____ or Issued.: July 27, 1999 M# / Client Ref.
Title: RANGE EXTENSION ACCESSORY APPARATUS FOR CELLULAR MOBILE TELEPHONES

SMALL ENTITY STATEMENT CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(d) and 1.27 (c)) - **SMALL BUSINESS CONCERN**

I hereby state that I am

- ☐ the owner of the small business concern identified below:
☒ an official of the small business concern empowered to act on behalf of the concern identified below:
NAME OF CONCERN Pacific Cellstar, Inc.
ADDRESS OF CONCERN 1891 Alton Parkway, Irvine, California 92606

I hereby state that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.12, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby state that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled: RANGE EXTENSION ACCESSORY APPARATUS FOR CELLULAR MOBILE TELEPHONES by inventor(s) Elias G. Khamis and Massimo Massa described in

x → ☐ the specification filed herewith,
one → ☐ Application No. 0 /, filed
box → ☒ Patent No. 5,930,729, issued July 27, 1999

If the rights held by the above identified small business concern are not exclusive, each small entity individual, concern or organization having rights to the invention is listed in (A) and (B) below and no rights to the invention are held by any person, other than the inventor, who could not qualify under 37 CFR 1.9(c) as an independent inventor if that person had made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

(A) FULL NAME of assignee/licensee/grantee/conveyee*
ADDRESS
☒ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

(B) FULL NAME of assignee/licensee/grantee/conveyee*
ADDRESS
☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

*NOTE: Separate statement is required from each person, concern or organization named in (A) and (B) above having rights to the invention, averring to his/her/its status as a small entity. (37 CFR 1.27)

I acknowledge the duty to file, in this case, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

NAME OF PERSON SIGNING Mr. Elias G. Khamis
TITLE OF PERSON OTHER THAN OWNER President
ADDRESS OF PERSON SIGNING 1891 Alton Parkway, Irvine, CA 92606

SIGNATURE  DATE 6/11/01

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re REISSUE PATENT APPLICATION of

Elias G. **KHAMIS, ET AL.**

U.S. Pat. No.: **5,930,729**

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Group Art Unit: 2608

Issue Date: July 27, 1999

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Examiner: Edward F. Urban

Title: RANGE EXTENSION ACCESSORY APPARATUS FOR CELLULAR MOBILE
TELEPHONES

* * * * *

June 11, 2001

OFFER TO SURRENDER PATENT BY THE ASSIGNEE

The undersigned, Elias G. Khamis, is empowered to act on behalf of **Pacific Cellstar, Inc.**, the assignee of the present reissue application. A Certificate under 37 CFR 3.73(b) certifying that **Pacific Cellstar, Inc.**, is the assignee of the patent reissue application is being filed concurrently with this Offer.

On behalf of the assignee, the undersigned encloses the original U.S. Patent No. **5,930,729** on which the present reissue application is based and offers to surrender the same to the U.S. Patent and Trademark Office.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001 and that such willful false statements may jeopardize the validity of the application, any patent issued thereon, or any patent to which this declaration is directed.

On behalf of **Pacific Cellstar, Inc.**

Date: 6/11/01

By: _____

Elias G. Khamis
PRESIDENT
Pacific Cellstar, Inc.,

In re REISSUE PATENT APPLICATION of

Elias G. **KHAMIS, ET AL.**

U.S. Pat. No.: **5,930,729** : Group Art Unit: 2608

Issue Date: July 27, 1999 : Examiner: Edward F. Urban

Title: RANGE EXTENSION ACCESSORY APPARATUS FOR CELLULAR MOBILE
TELEPHONES

* * * * *

June 11, 2001

CERTIFICATE UNDER 37 C.F.R. § 3.73(b)

On behalf of **Pacific Cellstar, Inc.**, the undersigned certifies that **Pacific Cellstar, Inc.** is the assignee of the entire right, title and interest in the patent application identified above by virtue of a chain of title from the inventor of the patent and patent application identified follows:

From: Elias G. Khamis To: **Pacific Cellstar, Inc.**

Recorded: ____; Reel: ____, Frame: ____.

The undersigned has reviewed all the documents in the chain of title of the present application and, to the best of the undersigned's knowledge and belief, title is in the assignee identified above. ✓

The undersigned is empowered to sign this certificate on behalf of the assignee.

The undersigned declares further that all statements made herein on personal knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are made punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code on that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: 6/11/01

By: _____

Elias G. Khamis
PRESIDENT
Pacific Cellstar, Inc.,